



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Janet James, Esquire
Legal Services Developer
Department for the Aging

From: Eric A. Gregory
Assistant Attorney General

Date: October 17, 2008

Subject: Statement of Legal Authority for repeal of former Public Participation Guidelines (22 VAC 5-10) and promulgation of new/model Public Participation Guidelines (22 VAC 5-11)

I have reviewed the revisions to the Department for the Aging's Public Participation Guidelines, repealing 22 VAC 5-10 and promulgating the new model Public Participation Guidelines as 22 VAC 5-11. In my view, as counsel to the Department for the Aging, the Department has the authority to repeal the former regulations and promulgate the model Public Participation Guidelines pursuant to authority granted by Chapter 575 of the 2008 Acts of Assembly.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulatory actions.

